

SUMMARY OF EXAMINER'S INTERVIEW AND REMARKS

This is responsive to the final office action dated October 11, 2005. Claims 1, 3-17 and 19-32 are pending and stand rejected under 35 U.S.C. § 103(a). These rejections are respectfully traversed.

The rejection of each of the pending claims under 35 U.S.C. § 103(a) rely on the mistaken conclusion that linear regression is synonymous with linear programming. For example, in the rejection of claims 1, 14-17 and 29-31 under 35 U.S.C. § 103(a) as being unpatentable over Saarevirta in view of Johnson, the office action states that the Saarevirta reference teaches that algorithms for predictive modeling include linear regression and that the Johnson reference teaches linear programming. The office action then concludes that "[b]oth Saarevirta and Johnson et al. teach linear regression, therefore there is a motivation or suggestion to combine." This conclusion is incorrect because linear programming is significantly different than linear regression, and the two cannot therefore be equated for the purpose of providing a motivation to combine.

The patent owner's representative, Joseph Sauer, discussed these rejections with Examiner Heck in a telephone interview on November 15, 2005. During the interview, Examiner Heck agreed that linear programming is different than linear regression, and that the rejections are therefore improper. The Examiner is thanked for the courtesies extending during this telephone interview.

For the foregoing reasons, the patent owner respectfully requests that the rejections of claims 1, 3-17 and 19-32 be withdrawn and that this case be passed to issue.

Respectfully submitted,

JONES DAY

Joseph M. Sauer (Reg. No. 47,919)
Jones Day
North Point, 901 Lakeside Avenue
Cleveland, Ohio 44114
(216) 586-7506